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May the studying of the Daf Notes be a zechus for their neshamot and may their souls find peace in Gan Eden and be bound up in the Bond of life

MISHNAH: All bloodstains, wherever they are found,¹ are tahor, except those that are found indoors² or round about a chamber for tamei women. A chamber for tamei Cuthean women conveys tumah by overshadowing because they bury miscarriages there. Rabbi Yehudah stated, they did not bury them but threw them away and the wild animals dragged them off. They are believed when they declare, ‘we buried miscarriages there’, or ‘we did not bury them’. They are believed when they declare concerning — an animal whether it had given birth to a bechor or had not given birth to one. They are believed when giving information on the marking of graves, but they are not believed either in regard to overhanging branches, or protruding stones or a beis ha-peras. This is the general rule: In any matter where they are under suspicion they are not believed. (56b)

GEMARA: What exposition did they rely upon?³ — You shall not remove your neighbor's landmark,⁴ which they of old time have set, in your inheritance, whoever has an ‘inheritance’ has also a ‘landmark’, but whoever has no inheritance⁵ has no landmark.

The Mishnah had stated: They are believed when they say, ‘we buried . . .’ But, surely, they do not uphold, do they, the exposition of the injunction: Nor put a stumbling-block before the blind?⁶ — Rabbi Avahu replied: This is a case where a [Cuthean] Kohen stood there.⁷ But is it not possible that the Kohen was tamei?⁸ — It is a case where he holds terumah in his hand. But is it not possible that the terumah was tamei? — It is a case where he was eating of it.⁹ If so, what was the need of stating it? — It might have been presumed that they are not acquainted with the stages of formation,¹⁰ hence we were informed [that we do rely upon them].¹¹ (57a)

The Mishnah had stated: They are believed when they declare concerning an animal etc. But, surely, they do not uphold, the exposition of the injunction: Nor put a stumbling-block before the blind, do they? — Rabbi Chiya bar Abba citing Rabbi Yochanan replied: It is the case of an animal that is shorn and engaged in work.¹² If so, what was the need of stating such a law? — It might have been presumed that they are not acquainted with the nature of a discharge [from the

¹ In an Israelite locality.

² Lit., ‘in rooms’, it being assumed that, since they are kept in privacy, they must be menstrual.

³ In not burying their miscarriages.

⁴ Sc. his ancestral grave-yard (Sifri).

⁵ A miscarriage.

⁶ Which is homiletically applied to the supply of misleading information which leads the unwary into sin. As the Cutheans do not mind misleading in such matters, how could their evidence on the cleanness or tumah of a place be acted upon?

⁷ Had there been a grave in that place the Kohen would not have been there.

⁸ So that he has nothing to lose by remaining in the tamei place.

⁹ A certain proof that the terumah was tahor. Tamei terumah is forbidden to a tahor, and much more so to an tamei Kohen.

¹⁰ Sc. of the embryo; so that a mature one might be mistaken by them for an abortion and, in consequence, they would declare a place to be free from graves when in fact it is not tahor.

¹¹ Because they are well capable of distinguishing between an abortion and a normal child.

¹² In the case of a bechor both these are forbidden and the Cuthean would not have ventured to shear it or to work with it.

womb],¹³ hence we were informed [that they are to be believed].

The Mishnah had stated: They are believed when giving information on the marking of etc. Although this is only a Rabbinical institution¹⁴ they are careful to observe it, since it is mentioned in Scripture. For it is written: And when one sees a man's bone, then shall he set up a sign by it.

The Mishnah had stated: But they are not believed either in regard to overhanging branches etc. 'overhanging branches', as we have learned: The following are regarded as overhanging branches. The foliage of a tree that affords a covering over the ground.¹⁵

Protruding stones, as we have learned: protruding stones that project from a wall.

Beis ha-peras. Rav Yehudah citing Shmuel ruled: A man¹⁶ may¹⁷ blow away the earth in a beis ha-peras¹⁸ and¹⁹ continue on his way. Rabbi Yehudah ben Ammi citing Rav Yehudah ruled: A beis peras that had been trodden out is tahor.²⁰ One further taught: If one ploughs a graveyard he forms thereby

¹³ Which in the case of small cattle is an indication of a birth that exempts the next from the restrictions of a bechor; sc. they might mistake an ordinary discharge for one of abortion and thus erroneously regard the next birth as free from the restrictions of a bechor.

¹⁴ Which Cutheans usually disregard.

¹⁵ If one of the branches overshadowed a grave, tumah is conveyed only to a person under it but not to one under any of the other branches; but when the exact spot of the grave is unknown all the area overshadowed by the foliage is on account of the doubt subject to the same restriction. A Cuthean who is lax in the observance of tumah in a doubtful case, is not to be relied upon when he states that the grave was overshadowed by a particular branch or branches and that the others did not overshadow it.

¹⁶ Who desires to remain tahor while making his way through a beis ha-peras.

¹⁷ Since no flesh of the corpse need be expected, while the bones which the plough crushed to fractions convey tumah (if they are no smaller than a barley-grain) only by means of touch or carriage.

¹⁸ A grave area.

¹⁹ By thus making sure that his feet would touch no bone.

²⁰ Because the bones are crushed and scattered by the constant treading and no bone of the prescribed minimum bulk remains.

a beis ha-peras.²¹ And to what extent does he form it? To that of a full length of a furrow of a hundred cubit [squared, which covers an area of] four beis se'ah.²² Rabbi Yosi ruled: Five beis se'ah.

But are they not believed? Was it not in fact taught, 'Concerning a field in which a grave was lost²³ a Cuthean is believed when he stated, "There is no grave there", since he gives his evidence only about the grave itself;²⁴ concerning a tree whose foliage affords a covering over the ground he is believed when he stated, "There is no grave under it", since he renders evidence only about the grave itself?' — Rabbi Yochanan replied: This is a case where he walks backward and forward throughout all its area.²⁵ If so, what was the need of stating it? — It might have been presumed that a narrow strip jutted out, hence we were informed that he is believed.

This is the general rule etc. What is the expression this is the general rule intended to include? — To include Shabbos boundaries and wine of libation.

WE SHALL RETURN TO YOU, DAM HANIDDAH

²¹ 1. Peras is derived from a root meaning 'to crush' the bones being crushed by the plough. 2. 'Peras' means a 'half', the extent of the tamei area being half a furrow in each direction from the grave. 3. 'Peras' is derived from a root meaning 'to extend', the tumah being extended to an area larger than that of the grave.

²² Which means a hundred times a hundred cubits.

²³ And which also, like a field in which a grave was ploughed, is subject to the tumah of a beis ha-peras.

²⁴ Which is subject to Biblical tumah which Cutheans observe. As his evidence amounts to an assertion that no Biblical tumah is involved in that particular place he may well be relied upon. How then is this to be reconciled with our Mishnah?

²⁵ Which may well be taken as reliable evidence that there was no grave there. Our Mishnah, however, refers to a case where the Cuthean walks only across a part of the field. As he omits the other part there is reason to suspect that he knows it to contain a grave and that his evidence on the doubtful part of the field is intended to mislead Israelites so that they become subject to an tumah in which he himself does not believe. Hence the ruling of our Mishnah.

CHAPTER VIII

MISHNAH: If a woman observed a bloodstain on her body, if it was near the genitals she is tamei²⁶ but if it was not near the genitals she remains tahor. If it was on her heel or on the tip of her great toe, she is tamei, on her thigh or on her feet, if on the inner side, she is tamei; if on their outer side, she remains tahor; and if on the front and back sides she remains tahor. If she observed it on her shirt below the belt, she is tamei, but if above the belt, she remains tahor. If she observed it on the sleeve of her shirt, she is tamei if it²⁷ can reach as low as the genitals, but if it cannot, she remains tahor. If she takes it off and covers herself with it in the night, she is tamei wherever the stain is found,²⁸ since it can turn about.²⁹ And the same law applies to a shawl.

GEMARA: Shmuel ruled: If a woman examined the ground and after sitting on it, found on it some blood, she remains tahor, for it is said, In her flesh, implying that she is not tamei unless she feels³⁰ in her flesh. But the expression 'in her flesh' is required for the deduction that she conveys tumah within³¹ as without? — If so, Scripture could have said, 'In flesh', why then did it say 'in her flesh'? It may, therefore, be deduced that she is not tamei 'unless she feels in her flesh'. But still, isn't the expression required for the deduction, 'In her flesh, but not within a sac or within a lump of flesh'?³² — Both deductions may be made from it.

Come and hear: If a woman while attending to her needs³³ observed a discharge of blood, Rabbi Meir ruled: If she was standing at the time she is tamei,³⁴ but if she was then sitting she remains tahor. Now how is one to imagine the

circumstance? If she felt the discharge, why should she be tahor where she was sitting? Consequently this must be a case where she did not feel a discharge, and yet it was taught, was it not, that she was tamei? — This may in fact be a case where she did feel a discharge but³⁵ it might be assumed that the feeling was that of the ejection of the urine. When she stands, the urine might well return to the interior of her womb and then carry out some blood with it, but if she sits,³⁶ she remains tahor.

Come and hear: If on a testing rag that was placed under a pillow some blood was found, it is regarded as tahor if it was round,³⁷ but if it was elongated it is tamei. Now how are we to understand the circumstances? If she felt a discharge, why should it be tahor when round? Consequently it must be a case where she felt no discharge, and yet it was stated, was it not, that if it was elongated it is tamei? — No, it may in fact be a case where³⁸ she felt the discharge, but it might be assumed that it was the feeling of the testing rag. Hence if it is elongated it must certainly have issued from her body.³⁹ But if it is round it is tahor.⁴⁰

Come and hear: If a vestige of blood is found on his rag they are both tamei and are also under the obligation of bringing a sacrifice. If any blood is found on her rag immediately after their intercourse they are both tamei and are also under the obligation of bringing a sacrifice. If, however, any blood is found on her rag after a time they are both tamei by reason of the doubt but exempt from the sacrifice. Now how are we to imagine the circumstance? If she has felt a discharge, why should they be exempt from the sacrifice where the blood is found after a time? Must it not then be a case where she did

²⁶ Since it may be attributed to menstruation.

²⁷ The place of the stain.

²⁸ Sc. even if it is on a part which when worn cannot reach as low as the genitals.

²⁹ And the upper part then comes in contact with the lower parts of the body.

³⁰ The discharge.

³¹ Sc. while the blood is still within her body.

³² Sc. if blood is found within any of these abortions, but not on the woman's person, she remains tahor.

³³ During urination.

³⁴ Since owing to the narrowness of the passage occasioned by her standing position, her urine may have returned to the interior of her womb while it gathered up some menstrual blood.

³⁵ As to the reason why she remains tahor.

³⁶ A position which does not block the passage.

³⁷ Because it cannot be the result of the test which would produce an elongated patch.

³⁸ In the course of the test.

³⁹ This being the shape that a blood mark would assume on a testing rag.

⁴⁰ Because it cannot be the result of the test which would produce an elongated patch.

not feel any discharge, and yet it was taught, was it not, that 'if any blood is found on her rag immediately after their intercourse they are both tamei and are also under the obligation of bringing a sacrifice'? — No, she may in fact have felt the discharge, but it might be assumed that it was the feeling of the male organ [that she felt].

Come and hear: You are thus in a position to say that three forms of doubt appertain to a woman. A bloodstain on her body, concerning which there is doubt whether it is tamei and tahor, is regarded as tamei; on her shirt, when it is doubtful whether it is tamei or tahor, is regarded as tahor; and in regard to the laws of the tumah of contact and heset you follow the majority. Now what is meant by 'you follow the majority'? Is it not that if on most days she is tamei this is a cause of tumah even when she felt no discharge? — No, the meaning is that if on most days her observation of the blood is accompanied by a feeling of the discharge she is tamei since it might be assumed that she had felt it this time also but did not pay any attention to it.

The Master said, 'A bloodstain on her body, concerning which there is doubt whether it is tamei or tahor, is regarded as tamei; on her shirt, when it is doubtful whether it is tamei or tahor, is regarded as tahor'. How is one to understand the circumstances? If it was below her belt, why, when on her shirt, is it regarded as tahor seeing that we have learned: below the belt, she is tamei; and if it was above her belt, why, when on her body is it regarded as tamei, seeing that we have learned that if she observed blood on her body, if it was not near the genitals, she remains tahor? — If you wish I could reply that the stain was below the belt; and if you prefer I might reply that it was above the belt. 'If you wish I could reply that the stain was below the belt', in a case, for instance, where she passed through a butchers' market. If the stain was on her body it must have emanated from herself, for if it had emanated from an external source it should have been found on her shirt; but if it is found on her shirt, it must have emanated from an external source, for if it had emanated from herself it should have been found on her body. 'And if you prefer I might reply that it was above her belt', in a case, for instance, where she jumped backwards. If the stain is on her body it must undoubtedly have emanated

from herself, for if it had emanated from an external source it should have been found on her shirt; but if it is found on her shirt, it must have emanated from an external source, for if it had emanated from herself, it should have been found on her body.

At all events, it was stated, was it not, 'A bloodstain on her body, concerning which there is doubt whether it is tamei or tahor, is regarded as tahor', presumably even if she did not feel any discharge? Furthermore, we have learned, if a woman observed a bloodstain on her body, if it was near the genitals, she is tamei. Does not this imply even where she did not feel any discharge? — Rav Yirmiyah of Difti replied: Shmuel agrees that she is tamei according to Rabbinic law.

Rav Ashi replied: Shmuel gave his ruling in accordance with the view of Rabbi Nechemiah. For we learned: Rabbi Nechemiah ruled, Anything that is not susceptible to tumah is not susceptible to stains.

The Gemara notes: According to Rav Ashi one can well see the reason why he mentioned 'ground', but according to Rav Yirmiyah of Difti, what was the point of mentioning 'ground', seeing that even in the case of a cloak the woman is subject to the same law? — This is a case of an implied climax: There is no question [that the woman is tahor where she sat on] a cloak since it cannot be thoroughly examined and one may, therefore, well assume [that the stain] emanated from an external source, but even [where she sat on] the ground which can well be thoroughly examined, and where it might justifiably be assumed that it emanated from her body, she is nevertheless regarded as tahor.